



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/580,563	05/30/2000	Kevin Peter Picott	1252.1051	1726

21171 7590 01/27/2003

STAAS & HALSEY LLP  
700 11TH STREET, NW  
SUITE 500  
WASHINGTON, DC 20001

EXAMINER
----------

GOOD JOHNSON, MOTILEWA

ART UNIT	PAPER NUMBER
----------	--------------

2672

DATE MAILED: 01/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/580,563

Applicant(s)

PICOTT, KEVIN PETER

Examiner

Motilewa A. Good-Johnson

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 November 2002.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This office action is responsive to the following communications: Application, filed on 05/30/2000; IDS, paper #2, filed on 05/30/2000.
2. Claims 1-22 are pending in this application. Claims 1, 17 and 19-22 are independent claims. No claims have yet been amended.
3. The present title of the application is "System for passing algorithms with polymorphic parameter sets in a dependency graph of a graphics creation process" (as originally filed).

**This action is made final.**

### ***Drawings***

4. The drawings are objected to under 37 CFR 1.83(a) because they fail to show computer, keyboard, mouse, and display as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 21 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 21 claims a data structure comprising an "RTTI parameter list . . .", the contents thereof are unknown and thus rendered vague and indefinite.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Wells et al., U.S. Patent Number 6,216,138, "Computer Interface System for Automatically Generating Graphical Representations of Computer Operations Linked together According to Functional Relationships", 04/10/2001, filed on 04/22/1994class 707/502.

As per independent claim 1, ". . . passing a function of a first dependency node to a second dependency node; and evaluating the function as a part of an evaluation of

the second dependency node.” Wells discloses in col. 3, lines 13-22, a directed acyclic graph which has nodes in a GDF which represent analysis operations and is used to remind a user what analysis steps have been performed and provides a record of the data processing steps.

With respect to dependent claim 2, Wells discloses a GDFD which performs data analysis functions and provides a graphic representation of the data analysis process performed, col. 1, lines 64-67.

With respect to dependent claim 3, Wells discloses data sets as two dimensional tabular displays of data values and further discloses that there is a correspondence between the implementation of a selected command and the generating of a new GDFD element along with the graphical representation and functional dependencies, col. 3, lines 36-57.

With respect to dependent claim 4, Wells discloses elements represented by icons in a GDFD graphically linked according to the functional relationships between the GDFD elements, col. 4, lines 40-59.

With respect to dependent claim 5, Wells discloses parsing of the selected command and the calling of the appropriated command function, col. 14, lines 65-67.

With respect to dependent claim 6, Wells discloses a new data set generated from the data contained in a existing data set to obtaining the data for a designated data set, col. 11, lines 53-67.

With respect to dependent claim 7, Wells discloses the data set identified as the dependency graph is executed, figure 5E.

With respect to dependent claim 8, Wells discloses inputs for selecting outputs and inputs of a GDFD, col. 9, lines 7-10.

With respect to dependent claim 9, Wells discloses an adjusted response graph element having data derived from the data contained in a Regdata data set, col. 12, lines 6-27.

With respect to dependent claim 10, Wells discloses a new dataset window that creates a new empty data set with a default name, col. 18, lines 25-28.

With respect to dependent claim 11, GDFD elements represented by icons and adding or deleting elements from the GDFD with links representing the functional relationship, col. 10, lines 42-49.

With respect to dependent claim 12, Wells discloses object associated with a given index, col. 21, line 20.

With respect to dependent claim 13, Wells discloses returning an element if index is within bounds of element array, col. 21, lines 14-23 and further discloses creating a new empty data set with a default name, col. 18, lines 25-28.

With respect to dependent claim 14, Wells discloses a GDFD element type of analysis in which analysis elements along with user parameters are used to perform the statistical analysis package, col. 3, lines 58-67.

With respect to dependent claim 15, Wells discloses a correspondence between the selected command and the generation of a new GDFD element and the functional dependencies between the new GDFD element and existing elements, col. 3, lines 36-48.

With respect to dependent claim 16, Wells disclose a tool palette for making and editing data and further discloses that each column represents a different group or subset of data which may be selected for use in data graphing, col. 9-10, lines 62-67 and 1-4.

As per independent claim 17, Wells discloses a directed acyclic graph that provides a visual presentation of data in a data analysis system. Each node represent elements in the system, such as data sets, analysis operations, and graphs and further allow the data to be stored, retrieved and modified to be used in future data analysis, col. 3, lines 9-23. Wells further discloses a correspondence between the selected command and the generation of a new GDFD element and the functional dependencies between the new GDFD element and existing elements, col. 3, lines 36-48.

With respect to dependent claim 18, Wells disclose a tool palette for making and editing data and further discloses that each column represents a different group or subset of data which may be selected for use in data graphing, col. 9-10, lines 62-67 and 1-4.

As per independent claims 19-20, they are rejected based upon similar rational as above independent claim 1.

As per independent claim 21, it is rejected based upon similar rational as above independent claim 1 and dependent claims 2-16 respectively.

As per independent claim 22, it is rejected based upon similar rational as above independent claim 17.

***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Response to Arguments***

9. Applicant's arguments filed 11/29/2002 have been fully considered but they are not persuasive.

Applicant argues that Wells is a system that represents computer analysis operations and the present invention is using dependency graphs in a graphics creation process. Applicant argues that Wells is directed to a graph in which the nodes are static and the invention utilizes nodes that are dynamic. Applicant does not claim dynamic nodes. Applicant further argues that Wells fails to disclose passing functions between nodes. Wells discloses functional dependencies between graphical data flow diagram



and further discloses the graph generated may result from a data set or an analysis task, col. 4, lines 4-12. Applicant argues that Wells fails to disclose the dependent claims recited as well. Examiner maintains rejection of claims 1-22.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa A. Good-Johnson whose telephone number is (703) 305-3939. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Motilewa A. Good-Johnson  
Examiner  
Art Unit 2672

mgj  
January 14, 2003



**MICHAEL RAZAVI**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**